

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA
Respondent,

v.

Ronald Mack
Movant,

Civil No. 2:05-CV-1612

MOTION FOR APPOINTMENT OF COUNSEL

Comes now, Ronald Mack, Movant, pro-se, respectfully moves this Honorable Court for appointment of counsel pursuant to Title 18 U.S.C. §3006A, to represent Movant in his §2255 proceedings.

Movant filed an detailed §2255 motion, along with supporting briefs, and also the (3) enclosed Notice of New Authority cases, which included (1) case from the District Court of Delaware; (1) case from the Third Circuit Court of Appeals; and lastly (1) case from the Second Circuit Court of Appeals. All (3) cases were favorable and supported Movant's §2255 issues/arguments.

Movant now moves for an evidentiary hearing on the above mention (3) New Notice of Authority cases, and initial §2255 motions and briefs.

In light of Rule 8 governing §2255 proceedings, this Court should appoint counsel to represent Movant.

Wherefore, based on the above Ronald Mack, urges this Court to Grant this motion and appoint counsel.

Respectfully Submitted on this 19 day of December, 2013.

Ronald Mack
PRO SE REPRESENTATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RONALD MACK,

Petitioner,

Civ. No. 2:05-CV-1612

v.

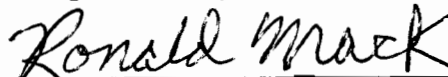
UNITED STATES OF AMERICA,

Respondent.

NOTICE OF NEW AUTHORITY

The petitioner Ronald Mack, pro se, invites this Court's attention to the recently decided case of United States v. Woodson, U.S. Dist. LEXIS 86328 (Dist. of Delaware, Aug. 5, 2011) where a pro se defendant's motion for new trial was granted on the ground that his right to be present at a critical stage of the proceedings was violated because the court failed to assemble the parties upon receipt of a note from the jury during deliberations. The petitioner submits that Woodson advances the cause of the arguments reflected on pages 3-6 of his "Brief in Support of Motion to Vacate, Set Aside or Correct Sentence", mailed to the Court on May 11, 2009.

Respectfully submitted,



RONALD MACK, Pro Se

No. 23272-050

P.O. Box 300

Waymart, PA 18472

Dated: October 5, 2011

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

RONALD MACK,

Petitioner,

Civ. No. 2:05-CV-1612

v.

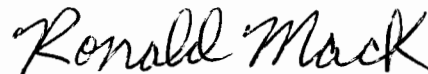
UNITED STATES OF AMERICA,

Respondent.

NOTICE OF NEW AUTHORITY

The petitioner Ronald Mack, pro se, invites this Court's attention to the recently decided case of United States v. Collins, 2d. Cir. No. 10-1048cr (decided January 9, 2012) where the Second Circuit Court of Appeals granted the appellant a new trial on the ground that his right to be present at a critical stage of the proceedings was violated because the lower court failed to assemble the parties upon receipt of a note from the jury during deliberations. The petitioner submits that Collins advances the cause of the arguments reflected on pages 3-6 of his "Brief in Support of Motion to Vacate, Set Aside or Correct Sentence", mailed to the Court on May 11, 2009.

Respectfully submitted,



RONALD MACK, Pro Se
No. 23272-050
P.O. Box 300
Waymart, PA 18472

Dated: February 6, 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

RONALD MACK,
Petitioner,

v.

UNITED STATES OF AMERICA
Respondent.

Civil No. 2:05-CV-1612

Crim No. 00-CR-00323

Judge Katharine S. Hayden

NOTICE OF NEW AUTHORITY

NOW COMES RONALD MACK ("Petitioner"), Pro-se, respectfully submits the instant Supplemental authority in support of his motion filed under 28 U.S.C. Section 2255. The petitioner invites this Court's attention to the recently decided case of UNITED STATES V. WOODSON, 2013 U.S. APP. LEXIS 231 (decided January 4, 2013). In Woodson, the United States (Government) appealed an order by the United States District Court for the District of Delaware granting defendant a new trial. Subsequently, in Woodson the Third Circuit Court of Appeals, affirmed the District Court's granting the defendant a new trial, on the ground that a defendant **MUST BE** present at "every trial stage", which requires defendant's presence. Also a "Jury's message **MUST BE** answered in open court and defense counsel **MUST BE** given an opportunity to be heard before the trial Judge responds". The defense counsel is not on record during the assemble of parties or upon receipt and the discussion of a note[s] from the jury during deliberations. Also the petitioner were **NOT PRESENT** during the above mention events. The Appeal's Court in Woodson also pointed out, that the Government can not prove beyond a reasonable doubt that the defendant were uninjured by the error, making the error **not harmless**. The petitioner Submits that Woodson advances the cause of his arguments reflected in Ground **II** of the petitioner's "Brief in Support of Motion to Vacate, Set Aside or Correct Sentence", mailed to the Court on May 11, 2009.

Dated: March **14**, 2013

Respectfully submitted

Ronald Mack

RONALD MACK, Pro Se
No. 23273-050
U.S.P. CANAAN
P.O. BOX 300
WAYMART, PA. 18472

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Notice of New Authority has been mailed to Stephen J. Taylor, Asst. U.S. Attorney, 970 Broad Street, Newark, New Jersey 07102, by placing same in a postage prepaid envelop and by hand delivering same to the mail room officer at U.S.P. Canaan this 19th day of December, 2013.

A handwritten signature in cursive script that reads "Ronald Mack". The signature is written in black ink and is positioned above a horizontal dashed line.

Ronald Mack